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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>9/28/2020</u> |
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RAUL ENRIQUE TOMALA, on behalf of himself and
others similarly situated,

Plaintiff,

-against-

CLGM, INC. d/b/a YEFSI ESTIATORIO, and
CHRISTOS CHRISTOU,

Defendants.
-----X

Case No. 19-CV-7839
(SDA)

**STIPULATION AND
ORDER OF DISMISSAL**

WHEREAS, on August 21, 2019, Plaintiff filed a complaint, which asserted claims for, *inter alia*, unpaid overtime compensation under the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.* ("FLSA"), and the New York Labor Law;

WHEREAS, although commenced as a collective action, Plaintiff did not seek conditional certification and no other individuals received notice of this action;

WHEREAS, the parties settled this action based upon arms-length negotiations, the terms of which have been judicially reviewed and are deemed fair and reasonable, and are incorporated herein by reference; and

WHEREAS, the United States District Court for the Southern District of New York shall retain jurisdiction over all proceedings solely to enforce the terms of the settlement between the parties in this action;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that this action is hereby dismissed and discontinued in its entirety with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Dated: New York, New York
September 18, 2020


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SO ORDERED:


Hon. Stewart D. Aaron, U.S.M.J.

Dated: September 28, 2020